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SUBJECT: DOE Second Line of Defense Megaport Initiative - Completion of Dutch Brinker Project in Rotterdam Port

Summary

¶1. A U.S. DOE team managed by David D. Martin, Deputy Director of the DOE/NNSA/Office of the Second Line of Defense (SLD), completed successful installation, testing, training and handover of radiation detection equipment to screen incoming and outgoing cargo containers at the Port of Rotterdam. This two-year project represents the first installation of radiation detection equipment to combat nuclear smuggling in Western Europe and at a world "Megaport." Approximately 48% of containers shipped from Rotterdam to the U.S. will now be screened for illicit nuclear and radiological material. Extension of the project to the rest of Rotterdam Port, covering an additional 45-50% of U.S.-bound shipments, is expected by 2006, bringing the total coverage to 93-98%. End Summary.

History

¶2. Rotterdam is the largest port in Europe, handling an estimated 40% of all European shipments bound for the U.S. through four dedicated terminals. In 2002, against a background of growing concerns about international terrorism, discussions began between the Dutch Ministry of Finance and U.S. Department of Energy about installing U.S. equipment at Rotterdam to prevent illicit trafficking in nuclear and other radioactive materials (the DOE Second Line of Defense Megaport Initiative). While the Dutch valued improving port security and counterterrorism (CT) measures in general, they had serious reservations about the proposal: 1) EU accusations of creating an unfair competitive edge for Rotterdam could arise as happened when the Dutch were first to implement DHS/CBP Container Security Initiative (CSI); 2) installation and operation of the equipment would slow the flow of commerce; 3) operations would require burdensome staff increases; 4) the political climate in the Netherlands decried the perception of Dutch being too ready to acquiesce to U.S. law enforcement and CT requests; and 5) sharing information generated by the equipment with the U.S. would violate Dutch and/or EU privacy laws and standards.

¶3. Through close coordination among DOE, DHS/CBP CSI office, Embassy The Hague, the Dutch Customs Service, and Ministries of Finance, Health (VWS) and Environment (VROM), each of these concerns were met and resolved. Technical, staffing and operational concerns were allayed during a visit to D.C. by the head of the Dutch Customs Service where she was able to meet with experts and use simulation equipment. The parties agreed to a compromise creating limited phases of the project and allowing Dutch ownership and control over all but the start-up phase where U.S. expertise and training was most critical. The Dutch agreed to accept DOE equipment, installation and training for one key Port terminal and to equip the remainder of the Port at their own expense through EU bid processes drawing on experience and knowledge gained from the U.S. installations. Calling the project the "Brinker Project" and emphasizing local CT protections also encouraged Dutch buy-in.

¶4. On August 13, 2003, U.S. Secretary of Energy Abraham and Dutch State Secretary of Finance Joop Wijn signed a Mutual Declaration of Principles ("MDP") reflecting the agreement and allowing closer cooperation between the two countries.

Information Sharing and CSI Plus

¶5. The installed radiation detection systems will allow Dutch Customs to target for search, detect and interdict illicit trafficking in nuclear and radioactive materials. U.S. DHS CBP, already in place in Rotterdam for CSI, wanted notification of all alarms and seizures of nuclear or radioactive materials made with this equipment. To meet concerns about information sharing standards, the MDP refers to established agreements to which the U.S. and Netherlands are signatories: the Agreement between the European Community and the United States of America on Customs Cooperation and Mutual Assistance in Customs Matters of 28 May 1997 and the Agreement on Mutual Administrative Assistance for the Proper Application of Customs Law and for the Prevention, Investigation and Combating of Customs Offenses between the Kingdom of the Netherlands and the

United States of America of 28 October 1996. These agreements were sufficient to get the Dutch to allow the CSI Team in Rotterdam to be notified in near-real-time of containers entering or exiting the Port that cause a radiation alarm.

Construction Summary

¶6. On September 12, 2003, the engineering work began to equip the ECT Delta Terminal in the Maasvlakte (the largest of Rotterdam's four terminals which ships an estimated 87% of all of Rotterdam's U.S.-destined cargo) with four monitor control points. This terminal handles 2.5 million TEUs/year of container throughput. After local authority review of the designs and permitting, construction began on November 19, 2003. By early February 2004, three of the four control points had been equipped and tests began on the sensors themselves to establish functionality and the baseline for types of normal cargo (ceramic tile, fertilizer, etc.) causing alarms because of naturally occurring radiation. In late February and March, the communication system to alert officials offsite of alarms was installed, tested and upgraded. By mid-April 2004, all four sites in the ECT Delta Terminal were functioning and had been tested allowing turnover to the Dutch Government on April 21, 2004.

Training

¶7. The U.S. provided three training classes to 50 Dutch Customs officers at the HAMMER Facility in Richland, Washington as well as ad hoc training on the equipment at the Port. Members of the Environment Ministry (VROM) also participated in the training. Dutch Customs officers were required by VROM to be tested for their proficiency in basic radiation health and safety before traveling to the United States. The Dutch organized their own ongoing training program as well as "Red-Team" systems tests to keep their response officers proficient. Response procedures for discovery of illicit materials specific to the Netherlands were developed with input from DOE, Dutch Customs, VROM and the Ministry of Health.

Follow-On

¶8. The Dutch are proceeding to procure equipment, architectural and engineering services, and communications systems and services to equip the rest of Rotterdam Port with similar radiation detection systems. An estimated 31 additional radiation detection portal monitor sets will be procured and installed under this project. Dutch Customs estimates the project will continue until the end of 2006. An ongoing dialogue on training issues, consultations about equipment specifications with Los Alamos National Laboratory radiation detector expert Dr. Rob York, and general nuclear smuggling issues will continue. DOE and Embassy The Hague continue to work with the Dutch as they develop equipment specifications to ensure efficacy in detection and compatibility with American monitoring standards.

¶9. Private and official representatives of other countries - French, Belgian, Russian, Canadian, Germans and British - have recently visited Rotterdam to view the equipment in action and are considering developing similar systems to protect their own boundaries.

Lessons Learned

¶10. While at times Dutch concerns seemed insurmountable, acceptable compromises were reached through constant and open communication. For posts that may be engaged in similar land or water border protection projects, we offer the follow tips:

-- Engage the host nation at several levels from the Ambassador down to the working level and maintain that engagement in order to ensure that bureaucratic concerns/impediments are understood and dealt with and that a high level of focus on the project is sustained to completion.

-- Look seriously at broader regional considerations of importance to the host country, such as EU regulations and directives.

-- Seeing and touching real equipment and speaking with actual operators and analysts made all the difference in resolving technical and staffing concerns. After seeing actual monitors, viewing computer simulations of alarm data and talking with designers and technicians in D.C., the Head of Dutch Customs said the radiation detection monitors were as simple as airport magnetometers for passengers and baggage. Her concerns of staffing needs and inspection and alarm obstructions to flow of trade were allayed.

-- The training provided in the U.S. for Dutch staff was extremely valuable in making the staff comfortable with the equipment and appreciative of its capabilities. Initial plans were to send only 2 officials for training at U.S. cost. After seeing its value, the Dutch sent an additional 48 on training with U.S.-Dutch cost sharing.

-- The project only succeeded because the Dutch understood the mutual benefit of protecting all our borders from illicit trafficking in radiological material. This is the key to starting any discussion. After that point, Dutch ownership of the project - from giving the project a Dutch name to designing a Dutch controlled and financed phase-in schedule for the balance of the port - met Dutch needs to manage port security on their terms.

SOBEL